

REMARKS

Applicant appreciates the time taken by the Examiner to review Applicant's present application. In order to advance prosecution of this case, Applicant has amended Claims 4, 6-10, 12-13, 16, 19-21, 27-31, 33-43, and 47-60. Applicant respectfully requests reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 112:

The Examiner rejected Claims 12, 13, 16, 19, 21, 31, 34-41, 50, 53, and 56-60 under 35 U.S.C. § 112. Applicant has amended the claims accordingly. Applicant submits that the claims, as amended, meet the requirements of Section 112 and requests reconsideration and withdrawal of the rejections under Section 112.

Allowable subject matter:

Applicant appreciates the Examiner's indication of allowable subject matter of Claims 4, 10-11, 14-15, 17, 18, 27, 29, 33, 42, 47, and 51. Applicant also appreciates the Examiner's description, at page 8 of the Official Action, of limitations not found or made obvious by the prior art. Claims 4, 10, 13, 18, 20, 27, 33, 35, 40, 42, 47, 51, 58, and 60 have been amended to be in independent form and to incorporate all of the limitations of the base claim and any intervening claims. Each of these claims includes limitations that the Examiner indicated were not found in or made obvious by the prior art.

Applicant submits that Claims 4, 10, 13, 18, 20, 27, 33, 35, 40, 42, 47, 51, 58, and 60 are now in condition for allowance. Claims 6-9, 11-12, 14-17, 19, 28-31, 34, 36-39, 41, 48-50, 52, and 59 depend from Claims 4, 10, 13, 18, 27, 33, 35, 40, 47, 51

and 58, respectively, and are patentable as further limitations upon those claims.

Therefore Applicant requests full allowance of Claims 4-9, 10-12, 13-17, 18-19, 20, 27-31, 33-34, 35-39, 40-41, 42, 47-50, 51-52, 58-59, and 60.

Rejections under 35 U.S.C. § 102(b):

The Ashby Reference

The Examiner rejected Claims 1-3, 5, 7, 21-26, 32, 43-46, and 49 under 35 U.S.C. § 102(b) as being anticipated by the *Ashby* reference.

Each of Claims 1, 21 and 43 require signal processors having an integrated ability to perform enciphering or deciphering functions. Claim 1 requires "enciphering the processed communication signals in the first signal processing circuit" and "deciphering the enciphered and processed communication signals in a second signal processing circuit." Claim 21 requires "a first signal processing circuit ... for enciphering said processed communication signals" and "a second signal processing circuit ... for deciphering said received enciphered and processed communication signals." Claim 43 requires "a signal processing circuit ... for enciphering said processed communication signals." As claimed in Claims 1, 21 and 43, Applicant's invention is patentably distinct over the *Ashby* reference in that Applicant's claimed invention implements encryption/decryption as an additional task performed by the signal processing circuit.

The *Ashby* reference, on the other hand, teaches the use of a separate and distinct device for the purpose of maintaining high-rate encryption data streams. This separate device is the data encryption device 22 of FIGURE 1 of the *Ashby* reference.

This data encryption device 22 is discussed in the *Ashby* reference, among other places, beginning at Column 8, line 35. The *Ashby* reference teaches that the data encryption device 22 can be a standard DES encoder such as one available from TEXAS INSTRUMENTS. The *Ashby* reference does not teach the integration of encryption with a signal processing circuit as required by Claims 1, 21 and 43. Rather, the teachings of the *Ashby* reference would result in a signal processing circuit that processes signals alone without performing encryption/decryption.

Applicant submits that the *Ashby* reference does not anticipate Applicant's claimed invention of Claims 1, 21 and 43. Applicant, therefore, requests the Examiner to reconsider and withdraw the rejections to Claims 1, 21 and 43 as well as Claims 2-3, 5, 22-26, 32, and 44-46 which depend therefrom.

The Crowley Reference

The Examiner rejected Claims 1-3, 5, 7, 21-26, 32, 43-46, and 49 under 35 U.S.C. § 102(b) as being anticipated by the *Crowley* reference.

The *Crowley* reference teaches a separate module, distinct from the signal processing circuit, that is used for the purpose of encrypting data streams. This module is the encryption module 43 of FIGURE 4 of the *Crowley* reference. The encryption module 43 is discussed in the *Crowley* reference, among other places, beginning at Column 5, line 41. The *Crowley* reference does not teach the integration of encryption with a signal processing circuit as required by Claims 1, 21 and 43. The teachings of the *Crowley* reference would result in a signal processing circuit that does not perform encryption/decryption.

Applicant submits that the Crowley reference does not anticipate Applicant's claimed invention of Claims 1, 21 and 43. Applicant, therefore, requests the Examiner to reconsider and withdraw the rejections to Claims 1, 21 and 43 as well as Claims 2-3, 5, 22-26, 32, and 44-46 which depend therefrom.

Rejections under 35 U.S.C. § 103:

The Examiner rejected Claims 6, 8, 9, 28, 30, 31, 34, 36-39, 48, 50, 52, 53, and 55-57 under 35 U.S.C. § 103 as being unpatentable over the Crowley reference in view of Applicant's Specification.

For the same reasons as set forth above, Applicant submits that the Crowley reference does not make obvious Applicant's claimed invention of Claims 1, 21 and 43. Applicant, therefore, requests the Examiner to reconsider and withdraw the rejections to Claims 53 and 55-57 which depend from Claim 43.

Related Art:

Applicant has reviewed the references made of record and not relied upon by the Examiner.

CONCLUSION

Applicant appreciates the Examiner's efforts to review this case. Applicant has made an earnest attempt to amend the claims to place this case in condition for allowance and has requested reconsideration of the Application. For the foregoing reasons, and for others clearly apparent, Applicant respectfully requests full allowance of Claims 4-9, 10-12, 13-17, 18-19, 20, 27-31, 33-34, 35-39, 40-41, 42, 47-50, 51-52, 58-59, and 60 and full allowance of Claims 1-3, 5, 21-26, 32, 43-46, and 53-57.

A check in the amount of \$ 1,092.00 has been enclosed to cover the fee for 14 new independent claims.

The Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0384 of Baker & Botts, L.L.P.

Respectfully submitted,
BAKER & BOTTS
Attorneys for Applicant



Anthony E. Peterman
Reg. No. 38,270

2001 Ross Avenue
Dallas, Texas 75201-2916
(214) 953-6717

1600 San Jacinto Center
98 San Jacinto Blvd.
Austin, Texas 78701-4039
(512) 322-2599

Date: July 17, 1996